

**WILLIAMSBURG CITY COUNCIL
WORK SESSION
JANUARY 9, 2006**

The Williamsburg City Council held a work session on Monday, January 9, 2006, at 2:00 p.m., in the City Council Chamber of the Stryker Building.

ATTENDANCE

Present were Ms. Zeidler, Messrs. Haulman, Scruggs, Chohany, and Freiling. Also present were City Manager Tuttle, City Attorney Phillips, and City Clerk Crist.

Staff Attending: Assistant City Manager Miller, Economic Development Manager DeWitt, and Department Heads: Nester, Walentisch, and Deputy Chief Sloggie.

CALL TO ORDER

Mayor Zeidler called the meeting to order.

OPEN FORUM

Mayor Zeidler asked for public comment.

Mr. Larry McCardle, 910 S. Henry Street, addressed Council regarding the Design Review Guidelines as they pertain to two parcels located on the south side of Route 199 and Jamestown Road. The properties border James City County and are more identified with businesses located in the county. He noted that it is difficult to identify the location of the city limits at this location. He asked that Council consider removing these parcels from the Corridor Protection District and move the unofficial entry into the city north of Route 199 on Jamestown Road. This would provide an opportunity to place an official "Welcome to Williamsburg" sign at this corner, and he suggested it be placed in front of the CVS Pharmacy. He thanked Council for their consideration.

No one else wished to speak. The session was closed.

BACKGROUND PRESENTATIONS/DISCUSSIONS

"Prepare, Care, and Share" 2007—Jodi Miller, Assistant City Manager

Ms. Miller presented an overview of the "Prepare, Care, and Share" program developed by the Jamestown 2007 Host Committee Hospitality and Guest Services Subcommittee. The subcommittee's goal is to improve the overall visitor experience in our region by providing high level hospitality and service to our visitors, and therefore increasing visitation. Hospitality standards and trainings have been developed for the 2007 Commemoration and beyond. Four training modules focus on individual training and certification, and business certification, and will be implemented and managed by the Chamber and Convention and Visitors Bureau. City employees have completed training module #1; module #2 will be completed when released. Ms. Miller introduced the Module 2 Training video highlighting the Historic Triangle and amenities. Ms. Miller noted that Kyra Cook, Manager, Historic Triangle Jamestown 2007 Host Committee, was present.

Council members appreciated the presentation. Mr. Chohany, a member of this subcommittee, suggested that the video be available to all residents and be televised on Channel 48. Mr. Scruggs congratulated the subcommittee for their work and the video, and

suggested it be shown in other communities. Ms. Miller replied to Mr. Scruggs that Module 2 will be distributed through the Chamber/Convention and Visitors Bureau and Thomas Nelson Community College. Mr. Freiling asked that Ms. Miller look into the segment of the video that refers to “walking” on the Colonial Parkway in regards to the safety of that activity.

Kyra Cook clarified that Module 1 was a Powerpoint presentation, Module 2 a video and a notebook, Module 3 a classroom presentation with e-learning, and Module 4 classroom training for signature events. Mr. Freiling commented that the more interactive the module, the more effective in getting the message across.

Ms. Miller said that Module 1 and Module 2, when ready, will be included on the city’s Intranet site.

Mayor Zeidler appreciated the work of everyone involved with this training program, especially the volunteers.

Report --2007 Civic Beautification Subcommittee, Chairman Karen Jamison

Mr. Tuttle introduced Ms. Karen Jamison, Chairman of the 2007 Civic Beautification Subcommittee.

Ms. Jamison thanked Council for the opportunity to attend the meeting and make this report. The committee has developed a tag line “Honor America’s Past—Plant for America’s Future.” She recognized Kathy Coomer of James City County, and Clare Pritcher from York County, for their assistance. Ms. Pritcher was credited for developing today’s presentation. The committee has developed a vision statement, decided on a signature color scheme (patriotic red, white and blue), and identified the 2007 signature tree (Yorktown Snowflower Tree or Fringe Tree). The Historic Triangle Corridor Enhancement Program initiative has received strong support from the region. The Jamestown Road Corridor enhancements have been completed. Ms. Jamison showed slides of before and after pictures of projects along the corridor. Every Virginian can have an Anniversary Garden, even the Governor, who will participate in the planting of an America’s Anniversary Garden at Jamestown.

Ms. Jamison said that additional projects are planned such as cleanup days, “Paint the Town,” Community Conversations, and cooperative gardening programs. A website is being developed for the many beautification projects. She hoped that Council would support these beautification efforts and endorse the concept of a Signature Garden in the city, possibly near the Visitor Center. The Committee would be happy to hear any suggestions from Council members. She thanked Kyra Cook for her guidance and support. Ms. Jamison concluded with a quote from Aristotle, “In all things of nature, there is something of the marvelous.”

Mayor Zeidler thanked Ms. Jamison for her report and the subcommittee for their work on this comprehensive program. She underscored that the Anniversary Garden concept was adopted statewide.

Ms. Jamison emphasized the importance of partnerships in the area that will make this beautification program happen. The Committee is discussing combining the Annual Beautification Awards and 2007 Beautification Awards programs. The Arbor Day ceremony will continue as a separate event.

Council members appreciated the work of Ms. Jamison and the subcommittee.

Review of Revised Design Review Guidelines and Associated Zoning Ordinance Changes, Zoning Administrator Carolyn Murphy

Revised Design Review Guidelines and Related Zoning Ordinance amendments:

Reference for this item was Mr. Nester's report dated January 5, 2006 and the "Design Review Guidelines—Draft 1/5/06." Ms. Carolyn Murphy began her presentation by showing photographs of businesses in the city, York County, and James City County, to compare designs, construction, and quality. She emphasized the importance of the Design Review Guidelines to the city to ensure better quality construction. Using a Powerpoint Ms. Murphy reviewed the Zoning Ordinance changes and revisions to the guidelines.

PCR #05-026: Revision of the Zoning Ordinance text for Article IX Architectural Review.

This case revises the Architectural Review chapter of the Zoning Ordinance to add three sub-areas to the Architectural Preservation District Map, adds the procedure for adoption of the Design Review Guidelines, and deletes certain requirements for Planned Unit Developments.

PCR #05-027: Revision of the Official Zoning Map, Architectural Review Districts.

Ms. Murphy explained that this case revises the Architectural Preservation Review District map by changing the boundaries of the Architectural Preservation District (AP), establishing three zones (AP-1, AP-2, and AP-3) related to design review guidelines in the AP district, and changing the boundaries of the Corridor Protection District (CP).

ARB #05-073: Revision of the Design Review Guidelines

This case revises the Design Review Guidelines used by the Architectural Review Board in reviewing requests in the AP and CP districts. The revisions are based on the principle that the most restrictive guidelines should be adjacent to the Historic area, the old campus of the college and the National Register Historic Districts of Pollard Park and Chandler Court. She explained the criteria for siding materials in the three AP sub-areas AP-1, AP-2 and AP-3. The Corridor Protection District regulation for siding stayed relatively the same, but a section was added for canopies.

Ms. Murphy said that the Public Hearing is scheduled for Council next month. The ARB and Planning Commission have held public hearings on these cases. Public hearing notices were sent to property owners affected by the changes in the districts.

Mayor Zeidler thanked Ms. Murphy for her precise and succinct overview. She noted that Council members Haulman and Scruggs served on the Design Review Guidelines Committee. At the request of the Mayor, Ms. Murphy explained the goal, process, and work of the committee.

Mr. Haulman said that the driving philosophy behind the guidelines is that the core of the city, college, and National Trust areas, should be subject the highest standards. Significant areas are "donuted" around those areas with a lesser standard, and then there are the

corridor entrances that have a different standard. The Mayor commented that this philosophy helps to put this work into context.

Mr. Haulman thanked the staff, Carolyn and Reed, for their tremendous effort and thanked the Design Review Committee, Mr. Scruggs, the Planning Commission, Architectural Review Board, and citizens for their comments. The objectives of the guidelines are to protect and maintain the character of the city, mixed with reasonableness and fairness in the way they are applied. He suggested the following changes to Chapter 5:

1. Wording regarding approval of new materials be added to the Executive Summary and moving it to the beginning of Chapter 5, to help make this a living document.
2. The city does not have an aversion to the use of vinyl, but there are two issues with vinyl: the flexible nature of the current types of material and the lack of installation criteria to overcome the flexible nature of the material. The industry has no installation standards at this time, therefore, making it difficult to maintain the standards of a community.
3. Planned Unit Development: The city should consider how to insure that PUD architectural standards meet the city standards.
4. Consider creation of a second CP District for the area south of Route 199 with different standards.
5. Mimosa Drive--protect and maintain the traditional African-American neighborhood.
6. Flexibility of ARB in application of the guidelines. Mr. Haulman suggested the following exceptions to the guidelines may be granted by the ARB in the following situations:

1. If existing artificial siding can not be replaced in kind because the existing siding is no longer available in the market (for example asbestos shingles, some types of aluminum siding, etc), the ARB may consider replacement with other types of artificial siding.

2. If removal of vinyl, aluminum, or some other type of siding material would so damage the underlying wood or brick as to require the replacement of the underlying material, the siding shall be replaced with brick, horizontal wood, or cementitious siding that resembles horizontal wood.

3. In AP-2 and AP-3 zones, if existing wood or brick siding is so deteriorated over a significant portion of the structure (50 percent or more) as to require replacement, the ARB may consider replacement with brick, horizontal wood, or cementitious siding that resembles horizontal wood.

He asked that Mr. Phillips look at the legal aspects of added flexibility for the ARB, and asked Ms. Murphy to make a few other minor changes to Chapter 5.

Mr. Chohany thanked staff for their work on the guidelines document and commended all the participants for their efforts. He agreed with Mr. McCardle's suggestions regarding the Jamestown Road CP District and a city welcome sign being placed at that entrance into the city. He was pleased to hear Mr. Haulman's suggestions. He would be agreeable to the use of cementitious siding in certain locations. The ARB has been understanding in their application of the guidelines, and it is important to give them a document that they can use as a tool with good judgment. The Guidelines should be considered as a living document. In his perspective, he did not agree that certain homes on Mimosa Drive should be designated AP-2 District. He understood that homeowners did not want it either.

Mr. Scruggs appreciated the opportunity to work with Mr. Haulman on this committee, and he appreciated the work and assistance of Carolyn Murphy. He had questions of Ms.

Murphy. Ms. Murphy verified that all property owners in the districts received the public notice by mail. The city does have quality standards for siding (seams, joints), but not for installation. The Vinyl Siding Institute has no installation standards (or material standards) at the present time, but will work on developing them, and assist in getting workers qualified in the new standards for the future. Ms. Murphy said that some neighborhoods are not on the National Register of Historic places, but if they want to be on the register, an application must be initiated by the neighborhood and submitted to the National Register. Ms. Murphy noted that the State would hold a public hearing on the application before a neighborhood is included on the Register.

Mr. Scruggs was cautious about the historical significance of the homes on Mimosa Drive, and would like to hear from the property owners at the public hearing. He agreed with Mr. Haulman that the property across Route 199 on Jamestown Road be designated AP-3 or something like AP-3. He concluded with a Garrison Keeler observation: "The past was copied, quoted, and constantly looked at, until one day the city looked more like it used to than it ever had before." We need to protect what we have, but be willing to grow.

Mr. Freiling said he was uncertain about the CP designation for the property across Route 199 on Jamestown Road and what we would be preserving. Why was this area's designation not changed? Ms. Murphy said that the Architectural Review Board was of the opinion that these were two major entrance corridors into the city. The architecture is important, the 2007 Anniversary is approaching, and the designation would help to preserve the visual aspect of this intersection. Mr. Haulman said that perhaps an intermediate level of standard in the CP district would be appropriate for this area so that it would blend with the properties in the county. Ms. Murphy explained the meaning of "original siding," and noted that Planning Commission discussed this issue. Mr. Freiling suggested that this be clarified in the text.

Council members and Ms. Murphy discussed the significance of the National Register and Architectural Preservation List. Ms. Murphy said that it would be difficult for the city to come up with standards for vinyl siding. It would be difficult to monitor, inspect, and correct. Mr. Freiling suggested the city find ways to minimize the incentive for people to neglect their property for future benefit. There is potential for that to happen. In some cases, cementitious siding might be a better choice for the long term and insure quality aesthetics. He would like to discuss this further at the public hearing. Ms. Murphy explained the differences in the AP District and CP District designations, and one of the major differences is regarding demolition.

Mayor Zeidler said that Council will hold a public hearing at their February meeting. She asked that Mr. Nester and Ms. Murphy ask the Planning Commission and Architectural Review Board to comment on Mr. Haulman's suggestions.

Preview of January 12, 2006 Council Meeting

Revolutionary City: Mr. Tuttle suggested that a representative of the Colonial Williamsburg Foundation be invited to provide information to Council about the proposed "Revolutionary City" program as a Matter of Special Privilege. Council members concurred.

Braxton Court Redevelopment Project, Transformer: Mr. Haulman, Council representative on the Housing Authority Board, said that Housing Authority Board members are concerned

about the appearance of the proposed transformer to be located at the entrance to Braxton Court. Mr. Haulman was asked by the Board to bring this issue before Council to ask if the city would be willing to fund undergrounding the transformer. In a memo to the Authority Board from Dennis LeBlanc, Housing Authority staff member, he reported that Virginia Dominion Power has estimated the cost to underground at \$60,000 to \$80,000, or the transformer could be placed above ground and screened on three sides (shrubby or fencing). Mr. Tuttle said it is common to have the transformer above ground, and added that this additional money is not in the budget.

Mr. Scruggs said he was approached by a Board member regarding this matter. This transformer will be large and similar to the one at the Baptist Church. The city should look at this in terms of what the city and Housing Authority are investing in the property.

Mr. Scruggs disclosed that he is married to the Chairman of the Housing Authority. Mr. Phillips said that as long as this relationship will not keep Mr. Scruggs from exercising his independent judgment, he can discuss the matter.

Council members asked Mr. Tuttle to provide them with a copy of the memo from Mr. LeBlanc, a plat of the location, the amount of funds the city has already spent on the underground wiring and the cost to place the transformer underground. Also, information about what is traditionally done in other neighborhoods when wires are underground from the start, or retrofitted, and what is the usual process for placement of transformers. Council asked where they could look at similar transformers and what it would take to put the transformer box underground in this confined space.

City Council Communications

Schedule of Meetings: January 2006

Council members received a copy of the meeting calendar for November.

Inauguration Week: Mr. Tuttle noted that this is Inauguration Week in Williamsburg. (For the first time in 225 years, the Governor of Virginia will be inaugurated in Williamsburg at the Capitol Building on Saturday, January 14, at 12:00 Noon, followed by the inauguration parade at 1:00 p.m. on Duke of Gloucester Street. The inauguration festivities were moved to Williamsburg because the Capitol Building in Richmond is being renovated.)

Anniversary Garden: The Mayor reminded everyone that the Anniversary Garden will be planted at 1:00 p.m. on Wednesday, January 11, at the Jamestown Campground. Governor-Elect Kaine will participate.

OPEN FORUM

Mayor Zeidler asked for public comment.
No one wished to speak. The session was closed.

CLOSED SESSION

Mr. Haulman Moved that City Council go into Closed Session pursuant to Section 2.2-3711 of the Code of Virginia for the purpose of discussing one Legal matter per subparagraph 7 for the purpose of consultation on specific legal matters requiring the provision of legal advice by counsel. The Motion Was Seconded by Mr. Chohany.

Recorded Vote on the Motion:

Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany

No: None

The meeting adjourned at 4:21 p.m. The Mayor called a five-minute recess.

At 5:40 p.m. Council met in Open Session.

Mr. Haulman Moved the Certification of Closed Meeting. The Motion was Seconded by Mr. Chohany.

Recorded Vote on the Motion:

Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany

No: None

CERTIFICATION OF CLOSED MEETING

Date: January 9, 2006

Motion: Mr. Haulman; Second: Mr. Freiling

WHEREAS, the City Council of the City of Williamsburg has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Williamsburg hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the City of Williamsburg.

VOTE:

Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany

No: None

Absent During Vote: None

Absent During Meeting: None

The meeting adjourned at 5:41 p.m.

Approved: February 6, 2006

Jeanne Zeidler, Mayor

Shelia Y. Crist
Clerk of Council